

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI-DADE DIVISION**

ZAGG INC,

Case No.: 1:23-cv-20304-ALTMAN/REID

Plaintiff,

v.

MENACHEM MENDEL ICHILEVICI;
TX TRADING INC.;
DVG TRADE LLC; and

Defendants.

_____ /

DVG TRADE LLC,

Counterclaim-Plaintiff,

v.

ZAGG INC., SCREENYA, LLC,
MERRIL LONGMORE, and
BRENDAN BUCKNER,

Counterclaim-Defendants.

_____ /

**CONSENTED-TO MOTION TO
EXTEND TIME TO COMPLETE EXPERT DISCOVERY**

Pursuant to Fed. R. Civ. P. 6, Defendant DVG Trade LLC (“DVG”), and Defendant Menachem Mendel Ichilevici (collectively with DVG, “Defendants”) respectfully submit this consented-to motion for an extension of time for the parties to complete expert discovery in this matter. As grounds for this Motion, Defendants state as follows:

1. On January 6, 2025, the Court granted the motion filed by Plaintiff Zagg Inc. (“Zagg”) and Screenya, LLC (“Screenya,” collectively with Zagg, “Plaintiffs”) to extend the deadlines to complete expert discovery in this matter. (Dkt. 281.)

2. Specifically, the Court set (i) February 1, 2025 as the deadline for Plaintiffs to provide its substitute expert witness report; (ii) February 14, 2025 as the deadline for Plaintiffs' substitute expert witness to be made available for deposition; and (iii) March 1, 2025 for the completion of expert discovery.

3. On February 1, 2025, Plaintiffs served the expert report of Andrew C. Bernstein.

4. On February 6, 2025, Defendants served a notice of deposition of Mr. Bernstein for February 14, 2025. However, due to an unexpected change in a family obligation of Defendants' counsel, Defendants requested that the deposition of Mr. Bernstein be rescheduled, and Plaintiffs consented.

5. Despite diligent efforts, the parties have been unable to find a mutually agreeable date for the rescheduled deposition of Mr. Bernstein before the March 1, 2025 close of expert discovery.

6. Accordingly, the parties request a short extension of time to complete the deposition of Mr. Bernstein.

7. This motion is timely made pursuant to Fed. R. Civ. P. 6 and in keeping with the Court's procedures requiring filing requests for extensions of time. The parties are aware of the full caseload of the Southern District judges. Accordingly, the motion is not made for any purpose of delay. Rather, the motion is made to conserve judicial and party resources.

8. In accordance with Local Rule 7.1, the undersigned certifies that counsel for Defendants has conferred with counsel for Plaintiffs and is authorized to represent to the Court that Plaintiffs consent to the relief sought in the Motion.

WHEREFORE, Defendants respectfully request that the Court grant an extension of time up to and including March 7, 2025 for the parties to complete expert discovery.

DATED: February 28, 2025
Boca Raton, Florida

Respectfully submitted,

By: /s/ Geoffrey M. Cahen

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been
electronically filed, this **28th day of February, 2025** to:

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By: /s/ Geoffrey M. Cahen